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15 Attorneys for Plaintiff

16 UNITED STATES DISTRICT COURT

17 DISTRICT OF NEVADA

18 JOHN MEGGS, individually, } Case No.: 2:23-cv-00618-DJA
19 Plaintiff, }
20 vs. } EX PARTE MOTION TO EXTEND
21 BOTACH, INC., and TIGRAY BAR & TIME TO FILE PRO HAC VICE
22 RESTAURANT, LLC, } APPLICATION FOR LEAD
23 Defendants. } COUNSEL
24 } (First Request)

25 Plaintiff JOHN MEGGS, by and through his local counsel of record in this matter, moves
26 this Court for an extension of time to file the Verified Petition of Anthony J. Perez, Esq., lead
counsel in this matter, to practice pro hac vice before this Court in this matter.

27 Plaintiff's Complaint, ECF No. 1, was filed April 21, 2023. Under LR IA 11-2(e), Attorney
28 Perez's Verified Petition to practice pro hac vice is due to be filed with this Court by **May 5, 2023**.
On behalf of Mr. Meggs, plaintiff in this matter, and for good cause as set forth below, local counsel
asks for an extension of 14 days, to **May 19, 2023**, to file the application for Attorney Perez to
practice pro hac vice before this Court.

29 This motion is filed ex parte, without notice to Defendants, because the Complaint has not
30 yet been served and no attorney has yet made an appearance on behalf of either Defendant.

This motion is made pursuant to the following memorandum of points and authorities, and the pleadings and papers on file with this Court.

DATED: 27 April 2023

Respectfully submitted,

LAW OFFICES OF ROBERT P. SPRETNAK

By: /s/ Robert P. Spretnak
Robert P. Spretnak, Esq. (Bar No. 5135)

8275 S. Eastern Avenue, Suite 200
Las Vegas, Nevada 89123

GARCIA-MENOCAL & PEREZ P.L.

By: Anthony J. Perez, Esq.
(pro hac vice pending)

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Attorneys for Plaintiff

MEMORANDUM OF POINTS AND AUTHORITIES

The purpose of this motion is to ask this Court for an additional 14-day time period for local counsel to file the Verified Petition for lead counsel in this matter, Anthony J. Perez, Esq., to practice before this Court pro hac vice.

According to LR IA 11-2(e): “An attorney must comply with all provisions of this rule,” referring to the rule governing admission to practice before this Court pro hac vice, “within 14 days of his or her first appearance.” This is a case for injunctive relief and other available remedies under Title III of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12181 et seq., which prohibits discrimination by private entities against individuals with disabilities in matters of public accommodations. The Complaint, ECF No. 1, was filed in this matter on April 21, 2023. Therefore, under LR IA 11-2(e), Attorney Perez’s Verified Petition to practice pro hac vice is due to be filed with this Court no later than May 5, 2023.

Attorney Perez will serve as lead counsel in this matter because of his experience in litigation cases under Title III of the ADA. Mr. Perez has not been able to compile and transmit all the necessary

1 documentation for his pro hac vice application by this date.¹ Local counsel, Robert P. Spretnak,
2 Esq., is unavailable during the time of period of April 28, 2023, to May 10, 2023, due to a previously
3 scheduled vacation out of the country. Local counsel, therefore is not able to file the necessary
4 papers on behalf of Attorney Perez within the time allowed under LR IA 11-2(e). It is for this reason
5 that a brief extension of time is being requested.

6 Therefore, we respectfully ask that this Court briefly extend the deadline for Attorney Perez
7 to file his Verified Petition, in order to be allowed to practice pro hac vice before this Court in this
8 matter, from the current deadline of May 5, 2023, to a new deadline of May 19, 2023.

9 DATED: 27 April 2023

10 Respectfully submitted,

11 LAW OFFICES OF ROBERT P. SPRETNAK

12 By: /s/ Robert P. Spretnak
13 Robert P. Spretnak, Esq. (Bar No. 5135)

14 8275 S. Eastern Avenue, Suite 200
15 Las Vegas, Nevada 89123

16 GARCIA-MENOCAL & PEREZ P.L.

17 By: Anthony J. Perez, Esq.
18 (pro hac vice pending)

19 350 Sevilla Avenue, Suite 200
20 Coral Gables, Florida 33134

21 Attorneys for Plaintiff

22 IT IS SO ORDERED.

23 DATED: April 28, 2023

24 
Daniel J. Albregts
United States Magistrate Judge

25
26 ¹ This case is one of the first two cases in which Attorney Perez will be filing a Verified
27 Petition to practice pro hac vice in the United States District Court for the District of Nevada. The
28 other case, *John Meggs v. Tropicana Gardens, Inc.*, Case No. 2:23-cv-00619-JCM-EJY, also was
filed on April 21, 2023, also on behalf of Plaintiff Mr. Meggs, and also arising under Title III of the
ADA. This same motion is being filed in that case.